

Application No. 10/711,457
Reply to Office Action of June 28, 2006
Response dated August 28, 2006

REMARKS

Claims 1-18 remain pending in the application and stand rejected. Applicants respectfully request reconsideration in view of the following remarks.

Information Disclosure Statement

As an initial matter, Applicants note that a signed and initialed copy of the Information disclosure Statement filed March 31, 2005, has not been received in this application. Applicants previously notified the Office of this error in the Amendment filed October 6, 2005, and requested a signed and initialed copy of the Information Disclosure Statements at that time. Applicants again respectfully request a signed and initialed copy of the Information Disclosure Statement filed March 31, 2005, in the next communication from the Office.

Claims Rejected Under 35 U.S.C. §103

Claims 1-7, 10-13 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.K. Patent Application Publication No. GB 2 336 577 to Fischer et al. in view of U.S. Patent Application Publication No. 2003/0184064 to Hier et al. Claims 8, 9, 14, 15, 17 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fischer '577 and Hier '064, in further view of U.S. Patent No. 5,720,509 to Binish. Claims 1, 10 and 16 are the only independent claims of this rejected group. Claim 1 is directed to an automotive visor comprising "a core member having an outer surface," and "a polymeric cover layer integrally formed in place onto

Application No. 10/711,457
Reply to Office Action of June 28, 2006
Response dated August 28, 2006

said outer surface of said core member." Claims 10 and 16 are directed to methods of forming automotive visors, comprising "integrally forming a cover layer in place on an outer surface of the visor core."

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation to modify references or to combine reference teachings to arrive at the claimed invention; there must be a reasonable expectation of success; and references must teach or suggest all of the claimed limitations. "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make modification obvious unless the prior art suggested the desirability of the modification." In re Fritch, 23 USPQ.2d 1780, 1783-1784 (Fed. Cir. 1992). The modification proposed by the Examiner cannot render the prior art unsatisfactory for its intended purpose, or change the principle of operation of a reference. MPEP §2143.01.

Applicants respectfully traverse the rejections of claims 1, 10 and 16 because Fischer '577 does not teach or suggest each and every element recited in these claims, and the combination of Fischer '577 with Hier '064 and/or Binish '509 fails to cure these deficiencies. Specifically, the Examiner admits that Fischer '577 fails to teach or suggest a polymeric cover layer integrally formed in place on an outer surface of a core member, as required by claims 1, 10 and 16. Rather, Fischer '577 teaches forming an automotive visor by first placing a fabric cover material into a mold, and then injecting expandable polyolefin particle beads into the mold to form the core of the visor while bonding the core to the cover material.

Application No. 10/711,457
Reply to Office Action of June 28, 2006
Response dated August 28, 2006

Hier '064 is directed to a two-shot method for integrally forming an air bag door 14 in a retainer portion 12 of an instrument panel 10. The door 14 is molded from a relatively less rigid material over an opening 20 that has been left in the retainer 12 so that the door can be broken away upon actuation of the air bag. Modifying Fischer '577, as suggested by the Examiner, to form the cover layer in place onto the outer surface of the visor core would require the expandable beads to be injected into the mold prior to placement of the fabric cover material. This is wholly contrary to the method of forming an automotive visor taught by Fischer '577, wherein the cover material is first placed into the mold and expandable polymeric beads are then injected between the cover material layers to fill out the cover material. Moreover, the proposed modification of Fischer '577 would be unworkable because the expandable polyolefin particle beads would expand to fill any space that is intended to receive the cover material in a second shot injection process, as suggested by the Examiner. For at least these reasons, Applicants submit that there is no teaching or suggestion in Hier '064 to modify Fischer '577 in a manner that results in the claimed invention.

Binish '509 is directed to an automotive visor formed by placing a cover material into a mold and then injecting a polymeric material into the mold to form the core. Accordingly, Binish '509 fails to teach or suggest a modification of Fischer '577 or Hier '064 that cures the deficiencies discussed above. For at least these reasons, Applicants respectfully request that the rejections of claims 1, 10 and 16 be withdrawn.

Claims 2-9 each depend from independent claim 1, claims 11-15 depend from independent claim 10, and claims 17 and 18 depend from independent claim 16.

Application No. 10/711,457
Reply to Office Action of June 28, 2006
Response dated August 28, 2006

Accordingly, claims 2-9, 11-15, 17 and 18 are each in condition for allowance for at least the reasons discussed above with respect to independent claims 1, 10 and 16, and Applicants respectfully request that the rejections of these claims be withdrawn.

Conclusion

In view of the foregoing remarks set forth herein, Applicants believe this case is in condition for allowance and respectfully request allowance of the pending claims. If the Examiner believes any issue requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants are of the opinion that no fees are due as a result of this communication. However, if any fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

By: /David W. Dorton/
David W. Dorton, Reg. No. 51,625

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 241-6234 (facsimile)